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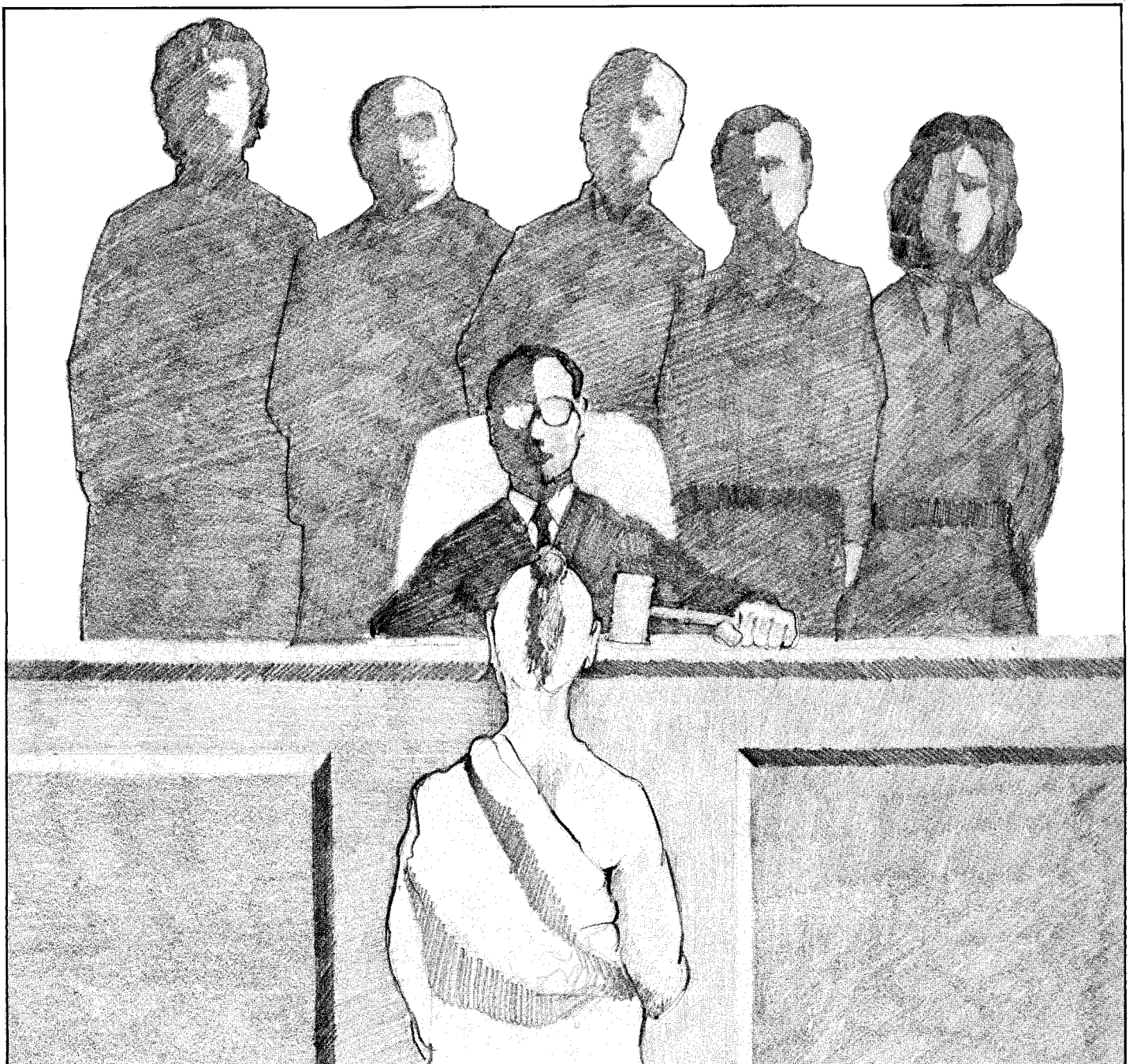
THE

LAW FORUM

Fall, 1984

Volume 15 Number 1

The University of Baltimore School of Law



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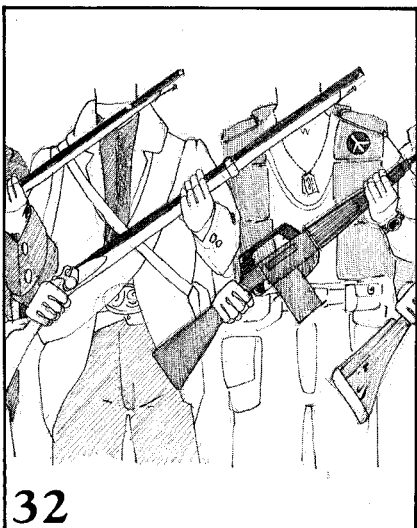
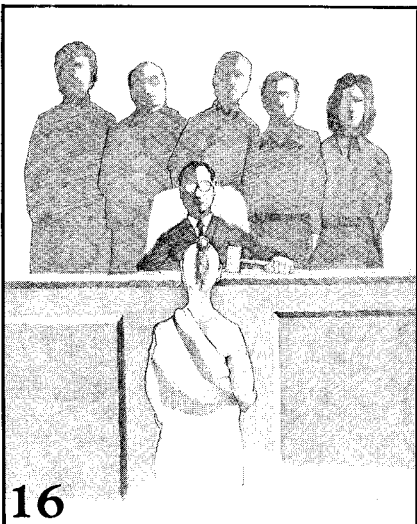
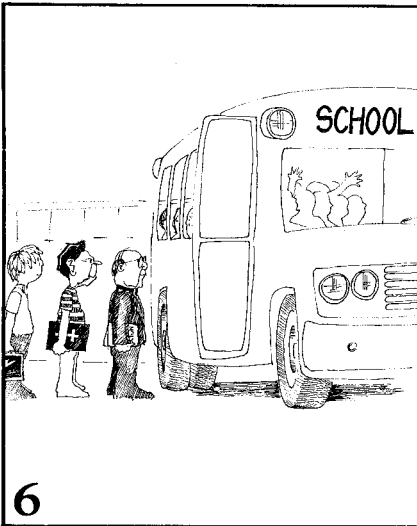
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THE
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The University of Baltimore School of Law

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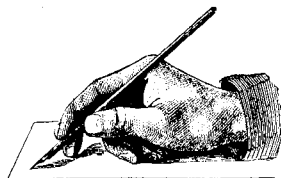
ALL ILLUSTRATIONS by CHRIS BARNARD. Mr. Barnard is a lifelong Washington area resident. He graduated from American University in 1975, receiving a Bachelor of Arts in Graphics. Currently an assistant manager of Photo Science, Inc., he is involved in photography and cartography. He is married with 1.3 children. THE LAW FORUM wishes to express its sincere gratitude for Mr. Barnard's generous donation of his creative talents.

FROM THE EDITORIAL BOARD

In the day-to-day practice and study of law, it is easy to overlook the document against which our laws are judged: The Constitution of the United States. Although decisions regarding "constitutional law" may seem esoteric and remote, they deserve attention for they affect the attorney both as practitioner and as citizen. This issue presents selected viewpoints on the impact of recent decisions.

The potential for governmental and judicial interference with religious and expressive freedoms is examined in "The Moment of Silence in Public Schools" by James Helfman and "George v. International Society of Krishna Consciousness: Religion on Trial" by Wilbert Taylor. Robert Dowlut, in his commentary on gun control, offers an historical basis for an unrestrained right to bear arms. The pros and cons of the Maryland insanity defense are analyzed by Paul Handy in "Defending the Mentally Ill in Maryland: The Guilty Plea vs. The Insanity Defense."

We would also like to take this opportunity to announce that *Law Forum* was awarded First Place by the American Bar Association's Law Student Division in its Law School Publication Contest. The article capturing the national honors was "Lost Privacy in the Computer Age" (U. Balt. Law Forum Vol 14, No. 2) by Miriam Lapp Azrael, former Articles Editor.



TO THE EDITOR

In review of the recent article, "The Jail Crisis in America Today," as well as the many articles that appear in newspapers, magazines and other publications, I've become aware that America is not assisting or helping to rehabilitate the prisoners. It seems to me that all the "rehabilitation" is directed at the symptom and not directed at getting to the cause, or, in fact, where the problems for the prisoners arise.

Unless we as citizens and concerned individuals for our own personal safety, health, and finances (taxes) start getting involved and participating in prison rehabilitation and, in general, the crimes and the cost will continue to rise. With all the advanced technology in the world today as well as all purported advancements for rehabilitation, there should be less prisoners, prisons and, of course, less crime and cost to taxpayers. It seems just the opposite. The logical conclusion would be that regardless of how much money and how many persons hired, we've made little advancement in any area of inmate rehabilitation.

I would like to share with you some very important investigations of prisoner reform in America today. This investigation has shown great success not only to the prisoners but also for the cost of running programs as well as for the relationship with prisoners, officials, and officers. A study conducted at the Tidewater Detention Home in Chesapeake, Virginia, and other reports have shown where there has been success in prisoner rehabilitation and if these formats are followed we could, in fact, reduce the high cost and repeated offenders that are experienced now. [Editor's Note: Copies of the above-mentioned reports are on file in the *Law Forum* office.]

By all means this is not a complete solution. It deals with our ability to tackle the problems at the final level, after the crime has been committed and the prisoner is in state custody.

I know it's going to take all of our efforts and beliefs to curb criminal internment in prison facilities. If we do not approach problems now we may, in fact, all be the prisoners by locking ourselves into our homes and the prisoners will be free. Added to the growing cost of citizen security, such as house and auto alarms, window security, and guards, I believe that the costs for personal security, added to the actual cost of maintaining each prisoner, is more of a realistic figure for the overall cost for prisoner internment and rehabilitation in America. These costs are even greater than the statistics cited in your article. I am not willing to give up my freedom to walk the street and participate in society.

It's up to us to look for methods that work and not to constantly support the ones that do not. I firmly believe that dietary changes may be one of the answers to the solution for prisoner rehabilitation as well as reduction in taxpayers' security and expense.

I look forward to a future article dealing with this topic.

—Louis Klaitman, J.D.

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FROM THE LAW SCHOOL

From The Dean

Annual Report to President Turner

Now that the new school year has begun, it is appropriate to report to you on the status of the School of Law.

There have been a number of changes in personnel this past year and some rearrangement of assignments. As you know, both Anthony Agnone and David Ash left for other positions. Nik Divecha joined the staff in the fall as my administrative assistant. Lucille Cheatwood is the new Placement Director. In an effort to expand the activities of this office, her responsibilities will be limited to placement. She is assisted by a full time secretary. Tom Corey's responsibilities have been expanded to include not only the clinics, but also the School of Law's budget.

The number of applicants to the law school declined somewhat. This is in line with the experience of almost all law schools throughout the country. At the same time, Beverly Falcon, Dean of Admissions, reports that the applicant pool included a diverse group of highly-qualified and talented students. A statistical summary of the incoming class will be completed by the end of September and sent to you at that time.

Our experience this past year teaches us that it will be necessary to expand our recruiting efforts. Dean Falcon, along with Janis Leftridge of her staff, has planned a broader and more intense program for the fall. The additional funds you have provided for this purpose will be most helpful. In connection with this effort, we have prepared a new brochure about the law school to be distributed to potential applicants.

The increased competition for the available applicants makes it important to manage the applicant pool more closely and to be aware of statistical trends. To accomplish this it will be necessary to develop computer capability. The State is studying the need for computers generally, but I fear that the subject will be studied to death, while many other law schools are already using fully automated processes. I hope that you will be successful in speeding up the study.

Our students are currently participating enthusiastically in the life of the School of Law. They serve as members

of all faculty committees and serve as members in the SBA, BALSA, Moot Court Board, and several other student professional organizations. They are also responsible for the publication of the Advance Sheet, a bi-weekly newsletter which provides a vehicle for communication within the School of Law for students, faculty and administration. In addition, the Law Review and Law Forum have become publications of which the school can be proud. Faculty advisors are actively engaged in all of these programs.

I am pleased to report to you that our graduating students are increasingly successful on the Maryland Bar Exam; 73% passed the July 1983 exam on their first attempt and 83% passed the February 1984 exam.

The faculty continues its role as the primary policy-making body in the School of Law. It operates through nine committees of the Faculty Council which itself meets monthly.

With the addition of Peter Bayer, our full-time faculty numbers 34. Professor Bayer joins our faculty after receiving an LL.M. from Harvard University and teaching at Boston College Law School. I believe that our faculty is a strong one and that our recruiting activities of the past few years are beginning to bear fruit. The faculty members are deeply committed to our students, and their community activities and research projects have increased significantly. The Summer Research Fellowship program, begun last summer and continued this summer, has been a substantial help.

Because of the pending retirement of Professors Cooper and Davidson, we expect to recruit two new faculty members for the following year. Our priorities will be to recruit a minority teacher and one with expertise in the field of business taxation.

As you know, I have been concerned that the level of faculty salaries has been slipping when compared to that of other law schools. I am, of course, aware of your current efforts to remedy this situation. I trust they will be successful. An adequate salary scale is fundamental to developing first-rate faculty.

After a major review by the faculty during 1982-83, the curriculum is now quite stable. We did revise the Property area last year, condensing somewhat the

required portion and adding electives to provide more advanced study for the students.

Our joint effort with the School of Business to develop a combined J.D./M.B.A. program has been successful. I expect our Curriculum Committee to explore a similar development for the other combined degree programs.

Our clinical programs expanded this past year. The Civil Clinic added a program in Baltimore County in cooperation with the Department on Aging, and our students have begun to try cases in the Federal District Court.

We continue to work with the Yale Gordon School of Liberal Arts in the development of their law-related M.A. programs in Legal Studies and Legal Administration. In addition, we have expanded our series of seminars on legal topics for laymen.

It is a cliché, but nevertheless true, that the Library is the laboratory of the law school. Our program has benefitted greatly from the creation of adequate library space in the new building. While our collection has not grown as quickly as either you or I would have liked, we have expanded from 105,000 BVE at the time of full accreditation three years ago to 150,000 BVE today. We have also added computerized research equipment, so that we now have both LEXIS and Westlaw, and have programs to train all students to use these new tools.

As you know from earlier reports to you, there is a real need to continue to develop the collection and purchase equipment necessary to permit our students to access the holdings of other libraries. Here, too, I am familiar with your efforts to obtain the necessary enhancement funds. I am confident that your response to our requests will produce results.

We are fortunate to have an active, dedicated and supportive alumni. We also enjoy the support of many non-alumni members of the bar in Baltimore and throughout the state. They participate in student activities, act as judges in moot court classes and competitions, and advise our students on career matters. A particularly distinguished group serves as our Advisory Board.


The Alumni and Bar have also been helpful financially. This year alumni giving to the law school through the annual

phonathon and related projects totaled \$69,000. We have also received major gifts from Baltimore law firms, including a commitment for \$100,000 over ten years from Venable, Baetjer & Howard, for which we have dedicated the Moot Court Room in their honor and in memory of H. Vernon Eney, and \$50,000 over ten years from Weinberg & Green. Generous gifts were also made by Piper & Marbury; Semmes, Bowen & Semmes; and Frank, Bernstein, Conaway & Goldman. It is gratifying to know that we have such friends. It is clear to me that we increasingly will have to look to our alumni and non-alumni friends in the private bar to enhance our programs.

I believe we made progress last year. There is still much to do and I look forward to working with you to accomplishing goals of providing quality education to our students and becoming a valuable resource to the legal community of our state.

—Dean Laurence M. Katz

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FROM: *Luci Cheatwood,*
Director of Law Placement

More than ever before, America is swarming with lawyers. Changing jobs and securing the first one has become increasingly difficult. To attain success in a tight job market one must devise a systematic strategy and then follow it diligently.

The fundamental step of this strategy is exploring one's options. Legal career exploration is a process of accumulating information about the wide range of opportunities in the profession. Some of the tools for this discovery process include developing a network of alumni and other professionals, exploring alternatives within your existing firm or previous employers and registering with your placement office.

The placement office provides many useful services including critiques of your resume, interviewing tips, job search strategy, lists of alumni in your geographic preference area, job listings, notices, collections of firm resumes, career resource library, and resume files of active job seekers. The placement office can put you in touch with faculty members who may be of additional help.

The Law Placement Office at the University of Baltimore offers all of the above services and invites alumni who are still interested in securing employment or in changing jobs to visit our office. We would also greatly appreciate it if you would notify our office regarding any openings for law clerks, legal assistants, staff attorneys, or law-related positions.

Reaching your ultimate goal requires an extensive amount of effort. Many people spend more time preparing for a two week vacation than planning for the other fifty weeks. Good luck in your efforts. If you need any assistance or can help anyone else, please contact Luci Cheatwood at 625-3164.

From The SBA

Dear Students, Faculty and Staff,

On behalf of your elected and appointed SBA representatives, I'd like to welcome you back to school. I am certain that, like me, you are delighted to be here.

Your dutiful servants have been hard at work, diligently donating their time pursuing projects mutually beneficial. To wit:

Lisa Isaac, Dana Karangelen and Rene Menasche did a wonderful job coordinating Day and Night Orientation, hearty thanks are in order. Lisa and Dana are also the guiding force behind the Port Welcome cruises—a good time was had by all.

Matt Oliverio and Mary Jane Schroeder have been hard at work laying an organizational structure for the Libel and Slander Musical Comedy Review. Director David Copperthite promises to surpass last year's sublime production. This event will occur on March 16, 1985 at La Fontaine Bleu in scenic Glen Burnie.

Liz Glass, ABA Rep, Maryland Trial Lawyers' Association President, *Daily Record* staff writer and bon vivant reports that she is arranging a wide range of speakers for the fall and spring.

This year's Advance Sheet is being published by Kirk Osborn, John Markus and Elizabeth Kozel. Judging by the first issue, they are going to produce a fine publication which parakeets everywhere will enjoy. I've been told that they are soliciting classified ads and that they will not edit out the good ones, so let your imaginations run wild.

Forrest Mays was responsible for the Disorientation Party last month. As is customary, the attendees engaged in substantive interaction aided by substantial ethanol consumption. Forrest is also coordinating a picnic for mid-October. This will occur at the University's Mount Washington Athletic Complex—fifty acres of woods and open fields. Students, faculty and staff are welcome along with their guests. There will be a grudge match softball game between the First Year students and the Law School's Softball Team. Beer and sodas will be provided along with a limited amount of dogs and burgers.

Kim McFann is the first student to serve as a member of the State Board for Higher Education. This committee is the coordinating committee for all higher education institutions in Maryland. If you have a substantive systemic concern, Kim is the person to see.

I have begun pursuing a variety of projects. I am negotiating with C&P and BG&E to arrange for the suspension of a security deposit for law students. I am also pursuing the implementation of a card operated high technology copy system for the Law Library. The aforementioned system should be operational in a month or so.

Interaction between you and your reps is important and encouraged.

—Terry Nolan, President

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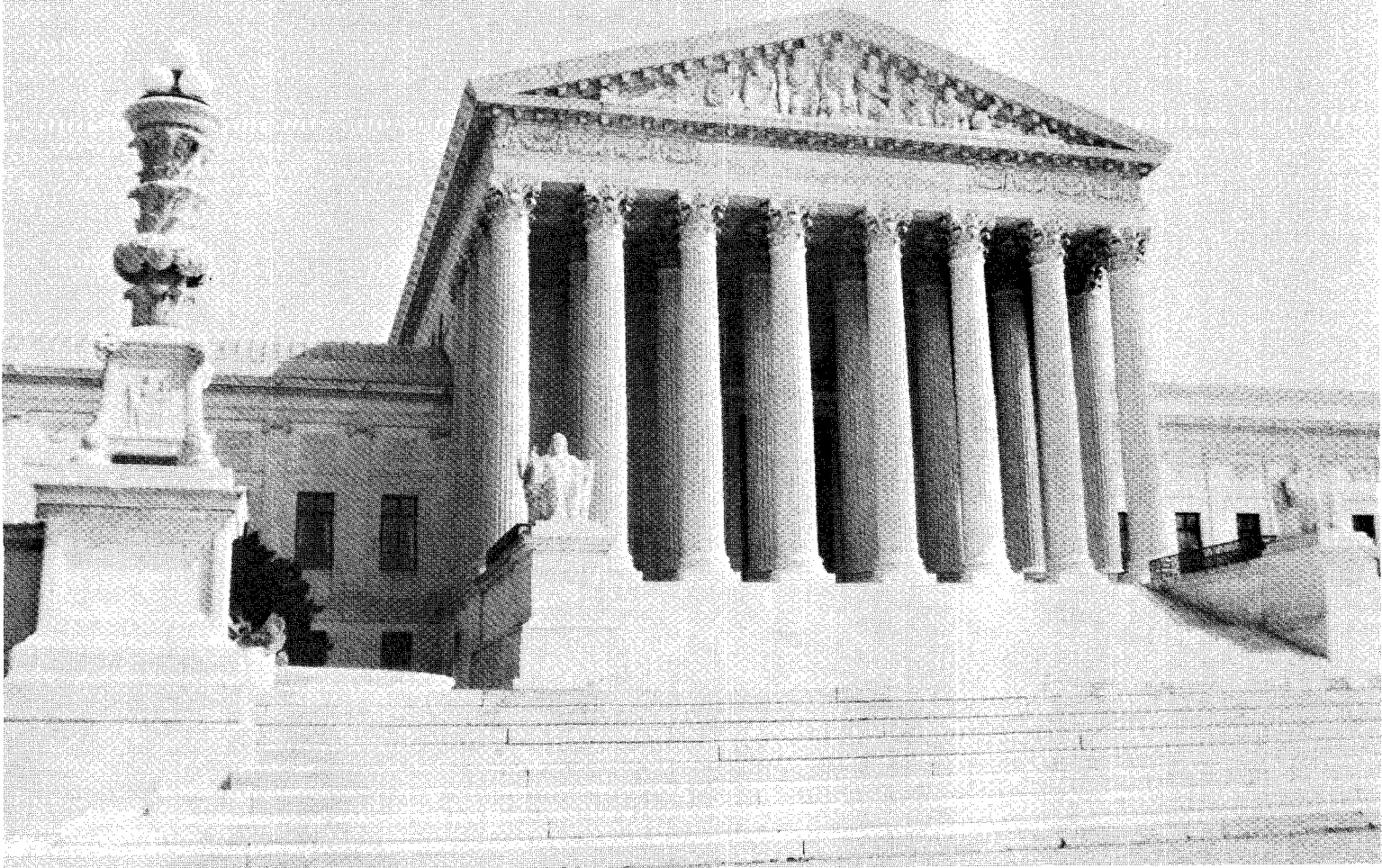


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